



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

December 7, 2009

MEMORANDUM:

Subject: EPA Reg. No.: 49538-2/ PHYTON® 27
DP Barcode: 371782
Case No.: 0636

From: John L. Dupuy Ph.D, Pathologist
Risk Management and Implementation Branch V
Pesticide Re-evaluation Division (7508P)

To: Veronica Dutch, CRM
Risk Management and Implementation Branch V
Pesticide Re-evaluation Division (7508P)

Applicant: Phyton Corporation
5608 International Parkway.
New Hope, MN 55428

FORMULATION FROM EPA Reg. No. 49538-2 LABEL:

	<u>% by wt.</u>
<u>Active Ingredient(s):</u>	
Copper sulphate pentahydrate	21.36%
<u>Inert Ingredient(s):</u>	<u>78.64%</u>
Total	100.00%

BACKGROUND: In the 8 month response to the Copper RED, the registrant is citing acute toxicity studies to support the reregistration of their product, EPA Reg. No. 49538-2. The MRID's are as follows: 476773-3 (81-1), 129019 (81-2), 476773-04 (81-3), 129019(81-4), 476773-05 (81-5), 476773 -06 (81-6). The studies (81-1, 81-3, 81-5, 81-6) were conducted by Product Safety Labs. The test material used in each of these studies was the subject product. These studies were found acceptable by PRB/SRRD on 3/6/09. The Studies (81-2 and 81-4) were conducted by Hill Top Research. The test material used in each of these studies was the subject product. These studies were found acceptable by FHB/RD on 5/11/83. RMIBV/PRD concurs with the above findings. Two additional eye irritation studies were submitted, however these are superseded by the eye data in 129019.

RECOMMENDATIONS:

- The acute toxicity studies cited are acceptable to support the reregistration of EPA Reg. No. 49538-2.

The acute toxicity profile for EPA Reg. No. 49538-2 is currently:

Acute Oral	III	Cited ($LD_{50} = 3110$ mg/kg)
Acute Dermal	III	Cited ($LD_{50} > 2000$ mg/kg)
Acute Inhalation	IV	Cited ($LC_{50} > 2.07$ mg/L)
Primary Eye	I	Cited
Primary Dermal	II	Cited
Skin Sensitization	non-sensitizer	Cited

NOTE: The acute toxicity requirements have been satisfied for the subject product.

LABELING:

PHYTON® 27

ID #: 049538-00002

RESTRICTED USE CLASSIFICATION REQUIRED

Due to primary eye irritation toxicity category.

SIGNAL WORD: DANGER PELIGRO

HAZARDS TO HUMANS AND DOMESTIC ANIMALS:

Corrosive. Causes irreversible eye damage. Causes skin irritation. Harmful if swallowed. Harmful if absorbed through skin. Do not get in eyes, on skin or on clothing. Wear protective eyewear (goggles, face shield, safety glasses), wear coveralls over short sleeved shirt and short pants, chemical resistant footwear, socks, chemical resistant gloves (such as or made out of any waterproof material, selection Category A*).

*If Selection Category A gloves do not provide adequate protection for this product, the registrant should indicate a specific glove category from the EPA chemical resistance chart that will provide adequate protection.

FIRST AID:

IF IN EYES: Hold eye open and rinse slowly and gently with water for 15-20 minutes. Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye. Call a poison control center or doctor for treatment advice.

IF ON SKIN OR CLOTHING: Take off contaminated clothing. Rinse skin immediately with plenty of water for 15-20 minutes. Call a poison control center or doctor for treatment advice.

IF SWALLOWED: Call a poison control center or doctor immediately for treatment advice. Have person sip a glass of water if able to swallow. Do not induce vomiting unless told to by a poison control center or doctor. Do not give anything by mouth to an unconscious person.

IF INHALED: Move person to fresh air. If person is not breathing, call 911 or ambulance, then give artificial respiration, preferably mouth-to-mouth, if possible. Call a poison control center or doctor for further treatment advice.

Have the product container or label with you when calling a poison control center or doctor or going for treatment. You may also contact 1-800-xxx-xxxx for emergency medical treatment information.

USER SAFETY RECOMMENDATIONS:

User should wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet.

User should remove clothing/PPE immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.

Users should remove PPE immediately after handling this product. Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

The proposed label must contain the following guidance:

NOTE TO PHYSICIAN:

Probable mucosal damage may contraindicate the use of gastric lavage.

Note to CRM/PM/Registrant:

The proposed label should contain a Note to Physician which addresses the primary eye irritation, Toxicity Category I. The following statements are some suggested types of information that could be included, if applicable, in the Note to Physicians:

- technical information on symptomatology;
- use of supportive treatments to maintain life functions;
- medicine that will counteract the specific physiological effects of the pesticide;
- company telephone number to specific medical personnel who can provide specialized medical advice.